

Notice of Allowability

Application No.

10/082,923

Applicant(s)

YAMAUCHI ET AL.

Examiner

Juliana K. Kang

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments filed on June 7, 2004.
2. ☒ The allowed claim(s) is/are 1-10 and 22-41.
3. ☒ The drawings filed on 26 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 8/16/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1. Claims 1-10 and 22-41 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 2, 7-10, 22 and 27-29, there is no prior art made of record that teaches or reasonably suggests an optical multiplexing circuit with all the specific elements and the specific combinations including plural pairs of input monitoring channel waveguides into which a beam is introduced in a direction opposite input transmission channel waveguides and at least one output monitoring channel waveguide into which a beam is introduced in a direction opposite to output transmission channel waveguides as set forth in claim 1. Claims 2, 7-10 and 27-29 dependent on claim 1 are thus also allowable.

Regarding claims 3, 4, 23, 24, and 30-35, there is no prior art made of record that teaches or reasonably suggests an optical multiplexing circuit with all the specific elements and the specific combinations including at least one input monitoring channel waveguide and plural pairs of output monitoring channel waveguides into which a beam is introduced in the same direction as output transmission channel waveguides as set forth in claim 3. Claims 4, 23, 24 and 30-35 dependent on claim 3 are thus also allowable.

Regarding claims 5, 6, 25, 26, and 36-41, there is no prior art made of record that teaches or reasonably suggests an optical multiplexing circuit with all the specific elements and the specific combinations including plural pairs of input monitoring channel waveguides into which a beam is introduced in a direction opposite to the input

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transmission channel waveguides and a pair of output monitoring channel waveguide into which a beam is introduced in a direction opposite to a pair of output transmission channel waveguide as set forth in claim 5. Claims 6, 25, 26 and 36-41 dependent on claim 5 are thus also allowable.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

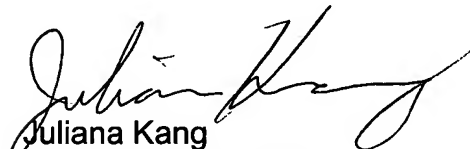
4. The prior art documents submitted by applicant have been considered and made of record (note the attached copy of form PTO-1449).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juliana K. Kang whose telephone number is (571) 272-2348. The examiner can normally be reached on Mon. & Fri. 10:00-6:00 and Tue. & Thur. 10:00-3:00.

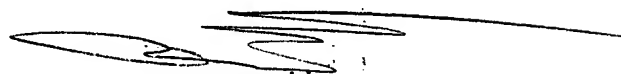
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rod Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Juliana Kang
September 14, 2004



Rodney Bovernick
Supervisory Patent Examiner
Technology Center 2800